



DOCKET FILE COPY ORIGINAL  
**New Plymouth School District** Number 372

P.O. Box 50 • 113 South East Avenue

New Plymouth, Idaho 83655

Telephone (208) 278-5740 • FAX (208) 278-3069

Ryan Kerby  
Superintendent

Sue Hally  
Business Manager

RECEIVED

FEB 20 2001

Federal Communications Commission  
Office of the Secretary  
445 12th Street SW, Room TW-A325  
Washington, CD 20554

FCC MAIL ROOM

February 15, 2001

Re: CC Docket Nos. 96-45 and 97-21,  
Billed Entity Number: 142737  
471 Application Number: 192840  
Funding Request Number 412224  
eRate Letter of Appeal: July 3, 2000

To Whom it May Concern:

I appreciate this opportunity to address the USAC funding decision regarding New Plymouth School District's eRate 471 Application for Year Three regarding Internet Access. When I first received the Funding Commitment Report, which funded our two requests for telecommunication services, but denied funding for our Internet Access, I was confused. The decision explanation was cryptic, to say the least, only reporting that the category of service was being changed from external to internal and suggested I visit the SLC's web site for further details. I did, indeed, visit the web site. I could find nothing giving me a true picture of why this decision had been made. I finally made an assumption that the decision had something to do with possible out-of-district use of the T-1 Frame Relay line, and included this reasoning in my letter of appeal, along with supplying certification to SLC's Program Integrity Assurance team (see enclosed).

I was expecting to get a phone call or a letter addressing my assumption, to tell me if I was correct or not. I thought that if the reviewer of our appeal realized that my assumption was incorrect, h/she would call, and we could discuss the real reason behind the denial of funding. I also made a futile attempt for phone help with SLC help desk personnel. I talked to "Don" on June 20, 2000, and he admitted that he had no idea why our category designation had been changed. I read to him what I'd found on the web site to use for our appeal and he said, "...it sounded good to him." He also wasn't able to refer me on to any other SLC personnel. I received a letter on August 9, 2000, telling me an in-depth review of appeals had begun, and I would be receiving a prompt response. This form letter didn't give me any additional pertinent information, or open the door for meaningful dialogue, nor did it point out that my letter of appeal had made an incorrect assumption.

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List A B C D E

**Perpetuating Excellence is Our Goal**

Andy Eisley, Associate Mgr. of Program Compliance with the Schools and Libraries Division, did call me in the fall, (plus sent an email on October 9, 2000) to ask clarifying questions about the ownership of our school router (see enclosed email). You will notice the questions revolve around asking about a "single" router. Again, I made an incorrect assumption. I thought that Mr. Eisley was asking about our main T-1 Frame Relay router. I even called our ISP for clarification on this router's use. Only after I received the USAC final appeal decision letter in January, 2001, did I realize that the questions weren't about the main router at all, but really questions of maintenance charges on the three sub-routers we put in place last fall for Ethernet firewall and routing efficiency purposes between our individual school buildings.

As it turns out, after being frustrated for months as to the true nature of the problem with the original decision to deny this portion of our 471 application, only the "final" decision letter gave me the information I needed for an informed response. I had kept thinking that the SLC's Program Integrity Assurance certification had been the problem. I couldn't understand why we were being asked about our main router and "...if it were disconnected from the network, would the schools (sic) local area network continue to function without interruption?" The answer was yes...I could still access my building file server via Ethernet in my classroom. Accessing the Internet without our main router would be impossible, though (see enclosed email response).

Answering these questions caused me to place myself in a red herring situation. If I'd been able to respond to what would have been more accurate questions, (e.g.: questions about our three subrouters and associated maintenance fees), it would have allowed me to see the external/internal problem accurately. Unfortunately, the real irony is that our ISP is not even charging us maintenance on these sub routers. We would never have asked for these monies on a forthcoming 486 form.

Given the above evidence, explanations, enclosures, and arguments, New Plymouth School District #372 would like to be allowed to amend their Year Three eRate 471 form to remove the request for monies to support maintenance fees on our three subrouters. This would result in moving us from the Internal Connections category back to the Internet Access External Connections category we had originally sought (C.F.R. 54.507(g)(1)(i)). I would be eager to discuss this with your review committee, if required. I am also at your disposal for further clarification via email: >vimbur6@sd372.k12.id.us<; direct mail: New Plymouth Schools, 704 New Plymouth Ave., New Plymouth, ID 83655; or phone queries: 208-278-3386 or 208-278-5333.

Sincerely,



Vicki Matthews/Burwell

District Technology Coordinator

New Plymouth School District #372

New Plymouth, ID

box  
USPS  
Permit No. 100  
July 3, 2000

Copy

Schools and Libraries Division - Universal Service Administrative Co.  
Box 125 - Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

New Plymouth School District #372 is registering an appeal on one of three decisions made in the FCDL of June 16, 2000, regarding funding year 3.

Applicant: New Plymouth School District #372

Form 471 Application Number: 192840

Billed Entity Number: 142737

Service Provider Name: Micron Internet Services

Funding Request Number: 0000412224

*"Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded. Funding Commitment Decision Explanation: Category of service was changed from Internet Access to Internal Connections. The funding cap will not provide 81% discount to be funded."*

Comments:

Since this company supplies our T1 Frame Relay for the district, hence "Internet Access", I do not understand the changing of the category for this service provider. We are not asking for monies to help connect individual school buildings, as we have a wireless system in place to accomplish this, nor are we asking for monies to wire buildings with new ethernet drops, etc. This 67% discount rate request is for access charges that represent starting from the main router at the high school on out to our ISP. Our district was provided funding for this category in year 2. I called the SLC help line for advice, but the person I contacted had no idea why our category of service had been changed or what to suggest I write in my letter of appeal.

I went to the SLD web site for more information and found the following section: "Clarification on Eligibility of Remote Access Routers (05-25-00)." I am making the assumption that this ruling is the one which has affected our T-1 Frame Relay system's eligibility for E-rate funding. To reinstate our eligibility for funding, the New Plymouth School District #372 is providing the following certification to SLD's Program Integrity Assurance team:

"The remote access router for which I seek discounts either will not be used to provide remote access in the funding year or, if it is to be used remotely, I will take steps to ensure that only entities eligible for support under the Schools and Libraries program have the capability to access it. In the latter case, for example, access will not be available from homes or other non-school or non-library sites."

Vicki Matthews/Burwell - District Technology Coordinator: NPSD #372  
704 S. Plymouth Ave.  
New Plymouth, ID 83655  
Voice: (208) 278-3386 Fax: (208) 278-3257  
vimbur6@sd372.k12.id.us

*Vicki Matthews/Burwell*

## FUNDING COMMITMENT REPORT

Form 47I Application Number: 192840

Funding Request Number: 412224      Funding Status: **Not Funded**  
SPIN: 143004524      Service Provider Name: Micron Internet Services  
Contract Number: MTM  
Services Ordered: Internal Connections  
Earliest Possible Effective Date of Discount: 07/01/2000  
Contract Expiration Date: N/A  
Billing Account Number: 21919-0  
Pre-Discount Amount: \$7,968.24  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Srvc/Discont will NOT be funded  
Funding Commitment Decision Explanation: Category of service was changed from Internet Access to Internal Connections. The funding cap will not provide 81% discount to be funded. For further details see WWW.SL.UNIVERSALSERVICE.ORG

Funding Request Number: 412657      Funding Status: **Funded**  
SPIN: 143005231      Service Provider Name: U S West Communications, Inc.  
Contract Number: MTM  
Services Ordered: Telecommunications Services  
Earliest Possible Effective Date of Discount: 07/01/2000  
Contract Expiration Date: N/A  
Billing Account Number: 208-278-5740-924B  
Pre-Discount Amount: \$13,728.00  
Discount Percentage Approved by the SLD: 67%  
Funding Commitment Decision: \$9,197.76 - 47I approved as submitted

Funding Request Number: 412730      Funding Status: **Funded**  
SPIN: 143001192      Service Provider Name: AT&T Corp.  
Contract Number: MTM  
Services Ordered: Telecommunications Services  
Earliest Possible Effective Date of Discount: 07/01/2000  
Contract Expiration Date: N/A  
Billing Account Number: 8000-705-5090  
Pre-Discount Amount: \$2,148.00  
Discount Percentage Approved by the SLD: 67%  
Funding Commitment Decision: \$1,439.16 - 47I approved as submitted

for non-recurring Year 2 services to September 30. SLD, however, will not process invoices for services rendered in 2000, unless the contract expiration date is consistent with the service delivery period.

This is the form to use for this notification. By filling in Block 2, Item G of this form to indicate a later contract expiration date, shared with your vendor, you will give SLD the "green light" to pay invoices for services rendered up to the expiration date, to September 30, whichever is earlier.

If the contract expiration date you entered on your FCC Form 471 already makes provision for services rendered up to September 30, there is no need to file a Form 500. SLD will accept invoices for non-recurring services rendered up to September 30.

Again, because the SLD will stop accepting the old Form 486 in mid-June, we urge you to use the new Form 500 to alert SLD of any intent to take advantage of the extended service period. If, however, you previously used the old Form 486, SLD will accept that form up until mid-June. You do not need to resubmit. For more details about the waiver, watch the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org).

NOTE: If you have not yet submitted an initial Form 486 to indicate the start of Year 2 services, please do so as soon as possible if services have already started! If you also want to take advantage of the waiver for services that are non-recurring, you will need to file the new Form 500 as well!

These forms can be found on the SLD web site by clicking the "[SLD Forms](#)" button. These forms are being mailed to recipients of Year 3 funding commitments. They can also be obtained by calling the Client Service Bureau toll-free at (888) 203-8100, where client service representatives can also help you with your questions about the form.

#### **New Clarification on Eligibility of Remote Access Routers (05/25/2000)**

Remote access routers have generally been considered ineligible for E-rate discounts because such routers can be used for Internet access by anyone with the phone number to dial in to them, that is, access may not be limited to entities eligible to participate in the E-rate program. We have been alerted by program participants that this policy seriously disadvantages many of them since they have such routers and wish to secure discounts for their maintenance or because the purchase of such routers is the most cost-effective alternative for meeting their needs. Many participants have such routers because they were the most cost-effective alternative even though they do not use the remote access capability. Others have such routers in central offices, and their schools secure access to the Internet by dialing in to the routers.

In November 1999, the Federal Communications Commission (FCC) issued a decision on an appeal from White Sulphur Springs School District in Montana (DA 99-2537, released November 16, 1999). In that decision, the FCC upheld the eligibility of a remote access router because it was not being used as a WAN router nor to provide remote access (in fact, the contract with the service provider said the router would not be used to provide remote access).

With that policy decision from the FCC, SLD will consider the circumstances surrounding use of remote access routers before deciding on their eligibility. Specifically, SLD will consider remote access routers eligible if the applicant requesting discounts for such routers provides the following certification to SLD's Program Integrity Assurance team:

"The remote access router(s) for which I seek discounts either will not be used to provide remote access in the funding year or, if it is to be used remotely, I will take steps to ensure that only entities eligible for support under the Schools and Libraries program have the capability to access it. In the latter case, for example, access will not be available from homes or other non-school or non-library sites."

If a router is to be used for remote access, such access must only be from sites for which services would be eligible for discount under the E-rate program. For example, schools may call in to a remote access router at a school district central office, but teachers and students should not be provided with the phone number for them to call from their homes.

If discounts for remote access routers have been denied in Year 3 Funding Commitment Decision Letters dated within the last 30 days and the applicant is able to make the above certification, the applicant may appeal the denial to SLD.

#### **Holiday Hours Announcement (05/25/2000)**

The Schools and Libraries Client Service Bureau will be closed on Monday, May 29, 2000, in observance of Memorial Day. The Client Service Bureau will resume normal operations on Tuesday, May 30 at 8:00 a.m. ET.

#### **Results of Appeals to the SLD and FCC (05/18/2000)**

Applicants who believe that their requests for discounts have been incorrectly denied or reduced by SLD may appeal the funding decision either to SLD or the FCC. The table below shows how such appeals have been decided by SLD and the FCC as of May

To: "Andy Eisley" <AEISLEY@neca.org>  
From: Vicki Matthews/Burwell <vimbur6@sd372.k12.id.us>  
Subject: Re: Funding Year Three E-Rate Appeal of Application Number 192840  
Cc:  
Bcc:  
X-Attachments:

Dear Andy,

In answer to your three quesitons:

1. Yes, the school distirct owns the router. I actually found the original purchase order in my reams of documentation. The router is a Cisco 2501, paid for with District funds, P.O. #201, on Sept. 5, 1995, for a total of \$1,950.00.
2. Yes, the router is used solely for the purpose of providing internet access to the school.
3. Yes, according to our ISP, our distrit LAN would still operate if the router was not functioning. Although, if the router was down, you would have 80+ teachers howling that the "net" was down and the kids couldn't do research and life wouldn't be good until it was restored!

Hope this is what we need to finish up the appeal process. Thanks for your email.

Vicki Matthews/Burwell  
New Plymouth S.D. Technology Coordinator

>Dear Vicki Matthews-Burwell,

>

>I am currently in the process of reviewing your Year Three Appeal and in order to complete my review I need some additional information. The questions I have specifically relate to the router maintenance charges.

>

>1.) Who owns the router? The school or the vendor.

> a.) If the vendor owns the router, is there any provision for future transfer of ownership to the school?

>

>2.) Is the router used solely for the purpose of providing internet access to the school?

>

>3.) If the router was disconnected from the network, would the schools local area network (LAN) continue to function without interruption?

>

>

>Please answer my questions via email or fax to my attention at the number listed below. If you have any questions please feel free to call me at the number below.

>

>

>In order to complete my review in a timely manner I must receive the information by the end of business on Monday, October 16, 2000.

>

>Thank you for your attention to this matter.

>

>Sincerely,

>

>

>Andrew Eisley

>Associate Manager- Program Compliance

>Schools and Libraries Division

>Voice: (973)-884-8428

>Fax: (973)-581-6759

>e-mail: aeisley@neca.org

Date: Mon, 09 Oct 2000 08:37:48 -0400  
From: "Andy Eisley" <AEISLEY@neca.org>  
To: <vimbur6@sd372.k12.id.us>  
Subject: Funding Year Three E-Rate Appeal of Application Number 192840  
Mime-Version: 1.0

Dear Vicki Matthews-Burwell,

I am currently in the process of reviewing your Year Three Appeal, and in order to complete my review I need some additional information. The questions I have specifically relate to the router maintenance charges.

- 1.) Who owns the router? The school or the vendor.
  - a.) If the vendor owns the router, is there any provision for future transfer of ownership to the school?
- 2.) Is the router used solely for the purpose of providing internet access to the school?
- 3.) If the router was disconnected from the network, would the schools local area network (LAN) continue to function without interruption?

Please answer my questions via email or fax to my attention at the number listed below. If you have any questions please feel free to call me at the number below.

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